IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1106 of 2007()

SC.346/2006 of ADDITIONAL DISTRICT COURT (ADHOC), THRISSUR

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PETITIONER/ACCUSED:

M.P. ARAVINDAKSHAN, S/O. PARAMU,
MANAKADEN HOUSE, ELINJIPRA P.O.,
CHALAKUDY.

BY ADV. SRI.M.P.VIJAYAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, ALONG WITH BA NO. 1107 OF 2007 THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application Nos. 1107 & 1106/07

DATED: 27th February, 2007

O R D E R

Petitioner who is the common 5th accused in S.C. 290/06 and S.C. 346/06 on the file of the Fast Track Court No. I Thrissur, each for offences punishable 147, 148, 341, 353 and 435 read with Sec. 149 I.P.C. and Sec. 3(2) of the P.D.P.P. Act, seeks anticipatory bail.

2. Admittedly, consequent on his non-appearance before the said court, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files applications for regular bail within 10 days from today, the same shall be considered and disposed of preferably on the same date on which such applications are filed, after examining the explanation offered by the petitioner for his non-appearance. I

am sure that the Addl. Sessions Judge will consider the medical grounds put forward by the petitioner and deal with his bail applications accordingly.

With the above observation these applications are dismissed.

V.RAMKUMAR, JUDGE.

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